

MAR 17 2006

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LUIS ARMANDO HIGUERA-LLAMAS,

Defendant - Appellant.

No. 05-10020

D.C. No. CR-04-00800-EHC

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Arizona
Earl H. Carroll, District Judge, Presiding

Submitted March 8, 2006^{**}

Before: CANBY, BEEZER, and KOZINSKI, Circuit Judges.

Luis Armando Higuera-Llamas appeals from his conviction and 18-month sentence imposed for illegal re-entry into the United States after deportation, in violation of 8 U.S.C. § 1326(a). We have jurisdiction pursuant to 28 U.S.C. § 1291.

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), counsel for Higuera-Llamas has filed a brief stating there are no grounds for relief, and a motion to withdraw as counsel of record. Higuera-Llamas has not filed a pro se supplemental brief.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 83-84 (1988), discloses no grounds for relief. We therefore **GRANT** counsel's motion to withdraw and **AFFIRM** the district court's judgment. We **REMAND** to the district court to correct the judgment to exclude reference to the 8 U.S.C. § 1326(b)(1) sentencing enhancement, as no such enhancement was found. *See* Fed. R. Crim. P. Rule 36. ("Clerical mistakes in judgments, orders or other parts of the record . . . may be corrected by the court at any time.").